



DEPARTMENT OF THE ARMY
 U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
 CORPS OF ENGINEERS
 REGULATORY BRANCH, WEST SECTION
 6855 State Road 66
 NEWBURGH, INDIANA 47630
 FAX: (812) 858-2678
<http://www.lrl.usace.army.mil>
 February 23, 2016

Operations Division
 Regulatory Branch (West)
 ID No. LRL-2013-00635-GJD

Ms. Wendy Melgin, Deputy Chief
 U.S. Environmental Protection Agency
 Region V
 77 West Jackson Boulevard
 Chicago, Illinois 60604

Dear Ms. Melgin:

Enclosed for your review is a copy of an application for Department of the Army authorization under Section 404 of the Clean Water Act. The application has been submitted by United Minerals Company, LLC. The proposed project would result in discharges of fill and/or dredged material into "waters of the United States" on a majority of a 1,679.6 acre site. The site is approved by Surface Mining Control and Reclamation Act (SMCRA) Permit No. S-00357.

Under this proposal the applicant is proposing the following: 1. to fill 8,427 linear feet of ephemeral streams; 2. to fill 45,213 linear feet of intermittent streams; 3. to fill 200 linear feet of perennial stream; 4. to fill 462.18 acres of palustrine forested (PFO) wetlands, 27.13 of palustrine emergent (PEM) wetlands, 19.81 acres of palustrine scrub-shrub (PSS) wetlands, 1.04 palustrine unconsolidated bottom (PUBG) wetlands, and 5. to fill 72.85 acres of open waters. All economically recoverable coal would be removed during the excavation of the area, processed and sold.

The proposed project is located in Pigeon Creek, unnamed tributary streams of Pigeon Creek, associated wetlands of Pigeon Creek, and open waters, northwest of Boonville, Warrick County, Indiana.

The application will be evaluated by this office for an Individual Permit. A copy of this application is enclosed and is being provided to your office in advance of the opening of the comment period to allow extra time for office to review the project and offer any substantive comments that you feel are appropriate. A "Draft" Public Notice is also included. You will be notified through the Public Notice process as to the official opening and closing comment dates.

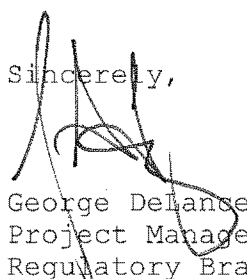
Your response is solicited as to assessment of the "waters of the U.S.," project impacts, mitigation proposal and other areas that may warrant further consideration. In your response, please refer to ID No. LRL-2013-00635-GJD. If you have any questions regarding this proposal, please contact me by writing to the following address;

U.S. Army Corps of Engineers
CELRL-OPF-W
Attn: George DeLancey
6855 State Road 66
Newburgh, Indiana 47630

or by calling (812) 842-2807.

Your assistance in this matter is appreciated.

Sincerely,



George DeLancey
Project Manager
Regulatory Branch

Enclosures (Draft PN and CD application)

Copy Furnished: See Attached List

Christine Stanifer
IDNR-Division of Water, Env. Unit
402 West Washington Street, W264
Indianapolis, IN 46204

Wendy Melgin, Deputy Chief
US Environmental Protection Agency
Wetlands and Watersheds Branch
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

Scott Pruitt
USFWS - Bloomington
620 South Walker Street
Bloomington, IN 47403

Rick Jones
Indiana State Historic Preservation Office
402 W. Washington Street, W274
Indianapolis, Indiana 46204-2739

Martha Clark Mettler
Indiana Department of Environmental Management
Office of Water Quality
1255 100 North Senate Avenue
Indianapolis, IN 476204-2251

Mrs. Joy Schieferstein
Office of Surface Mining
Minton-Capehart Federal Building
575 North Pennsylvania
Room 301
Indianapolis, IN 46204

Indiana DNR
RR 2 Box 129
Jasonville, IN 47438